

PTO/SB/21 (09-04)

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**TRANSMITTAL  
FORM**

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|  |                    |
|--|--------------------|
| Application Number                       | 09/872,235         |
| Filing Date                              | May 31, 2001       |
| First Named Inventor                     | Jean-Louis Baffier |
| Art Unit                                 | 2167               |
| Examiner Name                            | Miranda Le         |
| Total Number of Pages in This Submission | 47                 |
| Attorney Docket Number                   | 50277-1511         |

**ENCLOSURES (Check all that apply)**

|   |  |   |
|---|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form (1 pg)<br><input checked="" type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/<br>Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37<br>CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br>Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br><input type="checkbox"/> Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication<br>to TC<br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><input checked="" type="checkbox"/> Appeal Communication to TC<br>(Appeal Notice, Brief, Reply Brief)<br>(45 pgs)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please<br>Identify below):<br><br>Check in the amount of \$500;<br>and<br>Return Postcard |
| <b>Remarks</b><br>The Director is hereby authorized to charge any additional fee(s) or underpayments of<br>fee(s) under 37 CFR 1.16 and 1.17 to Deposit Account Number 50-1302<br>Deposit Account Name: Hickman Palermo Truong & Becker LLP   |  |   |

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

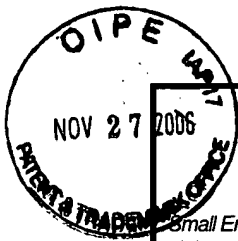
|              |                                     |          |        |
|--------------|-------------------------------------|----------|--------|
| Firm Name    | Hickman Palermo Truong & Becker LLP |          |        |
| Signature    |                                     |          |        |
| Printed name | Christopher J. Brokaw               |          |        |
| Date         | November 21, 2006                   | Reg. No. | 45,620 |

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|                       |              |      |                   |
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| Signature             |              |      |                   |
| Typed or printed name | Susan Jensen | Date | November 21, 2006 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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# FEE TRANSMITTAL for FY 2005

Patent fees are subject to annual revision,  
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PTO/SB/09-12.

See 37 C.F.R. §§ 1.27 AND 1.28

## Complete if Known

|                      |                     |
|----------------------|---------------------|
| Application Number   | 09/872,235          |
| Filing Date          | May 31, 2001        |
| First Named Inventor | Jean-Louis Bafflier |
| Examiner Name        | Miranda Le          |
| Group/Art Unit       | 2167                |
| Attorney Docket No.  | 50277-1511          |

TOTAL AMOUNT OF PAYMENT (\$)**500.00**

## METHOD OF PAYMENT (check one)

1. ☒ Throughout the pendency of this application, please charge any additional fees, including any required extension of time fees, and credit all overpayments to deposit account 50-1302. A duplicate of this sheet is enclosed.

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Account  
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50-1302

Deposit  
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Hickman Palermo Truong & Becker, LLP

2. ☒ Payment Enclosed:  
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3. ☐ Applicant(s) is entitled to small entity status.  
See 37 CFR 1.27.

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity              |          | Small Entity |          | Fee Description  | Fee Paid |
|---------------------------|----------|--------------|----------|--|----------|
| Fee Code                  | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 1051                      | 130      | 2051         | 65       | Surcharge - late filing fee or oath  |          |
| 1052                      | 50       | 2052         | 25       | Surcharge - late provisional filing fee or cover sheet.                    |          |
| 1251                      | 120      | 2251         | 60       | Extension for reply within first month                                     |          |
| 1252                      | 450      | 2252         | 225      | Extension for reply within second month                                    |          |
| 1253                      | 1,020    | 2253         | 510      | Extension for reply within third month                                     |          |
| 1254                      | 1,590    | 2254         | 795      | Extension for reply within fourth month                                    |          |
| 1255                      | 2,160    | 2255         | 1,080    | Extension for reply within fifth month                                     |          |
| 1401                      | 500      | 2401         | 250      | Notice of Appeal   |          |
| 1402                      | 500      | 2402         | 250      | Filing a brief in support of an appeal                                     | \$500.00 |
| 1452                      | 500      | 2452         | 250      | Petition to revive - unavoidable   |          |
| 1453                      | 1,500    | 2453         | 750      | Petition to revive - unintentional   |          |
| 1501                      | 1,400    | 2501         | 700      | Utility issue fee (or reissue)   |          |
| 1502                      | 800      | 2502         | 400      | Design issue fee   |          |
| 1504                      | 300      | 2504         | 300      | Publication Fee  |          |
| 1462                      | 400      | 1462         | 400      | Petitions Director not specifically provided for Group I                   |          |
| 1463                      | 200      | 1463         | 200      | Petitions Director not specifically provided for Group II                  |          |
| 1464                      | 130      | 1464         | 130      | Petitions Director not specifically provided for Group III                 |          |
| 1806                      | 180      | 1806         | 180      | Submission of information Disclosure Stmt                                  |          |
| 8021                      | 40       | 8021         | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809                      | 790      | 2809         | 395      | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 1810                      | 790      | 2810         | 395      | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| Other fee (specify) _____ |          |              |          |  |          |
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## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity |          | Small Entity |          | Fee Description                  | Fee Paid |
|--------------|----------|--------------|----------|----------------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                                  |          |
| 1011         | 300      | 2011         | 150      | Utility filing fee               |          |
| 1111         | 500      | 2111         | 250      | Utility Search fee               |          |
| 1311         | 200      | 2311         | 100      | Utility Examination fee          |          |
| 1081         | 250      | 2081         | 125      | Utility Application Size Fee     |          |
| 1005         | 200      | 2005         | 100      | Provisional Application Fee      |          |
| 1085         | 250      | 20835        | 125      | Provisional Application Size Fee |          |
| SUBTOTAL (1) |          |              |          |                                  | (\$)     |

### 2. EXTRA CLAIM FEES

|                    | Highest Paid Claims | Extra Claims | Fee from Below | Fee Paid |
|--------------------|---------------------|--------------|----------------|----------|
| Total Claims       | 70                  | -70**= 0     | 50.00          | = 0.00   |
| Independent Claims | 2                   | - 3**= 0     | 200.00         | = 0.00   |
| Multiple Dependent |                     |              |                |          |

\*\*or number previously paid, if greater; For Reissues, see below

| Large Entity |          | Small Entity |          | Fee Description   |
|--------------|----------|--------------|----------|---|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |   |
| 1202         | 50       | 2202         | 25       | Claims in excess of 20                                    |
| 1201         | 200      | 2201         | 100      | Independent claims in excess of 3                         |
| 1203         | 360      | 2203         | 180      | Multiple dependent claim, if not paid                     |
| 1204         | 200      | 2204         | 100      | **Reissue independent claims over original patent         |
| 1205         | 50       | 2205         | 25       | **Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$)**0.00**

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)**500.00**

## SUBMITTED BY

|                   |                       |                                   |                   |           |                |
|-------------------|-----------------------|-----------------------------------|-------------------|-----------|----------------|
| Name (Print/Type) | Christopher J. Brokaw | Registration No. (Attorney/Agent) | 45,620            | Telephone | (408) 414-1225 |
| Signature         |                       | Date                              | November 21, 2006 |           |                |

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

|                                   |   |                        |
|-----------------------------------|---|------------------------|
| In re application of:             | ) | Confirmation No.: 2420 |
|                                   | ) |                        |
| Jean-Louis Baffier, et al.        | ) | Group Art No.: 2167    |
|                                   | ) |                        |
| Serial No.: 09/872,235            | ) | Examiner: Miranda Le   |
|                                   | ) |                        |
| Filed: May 31, 2001               | ) |                        |
|                                   | ) |                        |
| For: TECHNIQUES FOR AUTOMATICALLY | ) |                        |
| PROVISIONING A DATABASE OVER      | ) |                        |
| A WIDE AREA NETWORK               | ) |                        |

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**Mail Stop Appeal Brief - Patents**  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**APPEAL BRIEF**

Sir:

This Appeal Brief is submitted in support of the Notice of Appeal filed September 22,  
2006.

11/27/2006 CNEGA1 00000013 09872235  
01 FC:1402 500.00 OP

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## **REAL PARTY IN INTEREST**

Oracle International Corporation is the real party in interest.

## **RELATED APPEALS AND INTERFERENCES**

Appellants are unaware of any related appeals and interferences.

## STATUS OF CLAIMS

Claims 1-70 are currently pending in the application.

Claims 1-70 have been finally rejected in the Office action mailed July 25, 2006.

Claims 1-21, 25-34, 36-56, and 60-69 have been rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,842,782 issued to Malik et al. ("*Malik*"). Claims 22-24, 35, 57-59, and 70 have been rejected under 35 U.S.C. § 103(a) as allegedly being obvious over *Malik* in view of U.S. Patent No. 6,094,680 issued to Hokanson et al. ("*Hokanson*").

It is from this final rejection of Claims 1-70 that this Appeal is taken.

## **STATUS OF AMENDMENTS**

The claims have not been amended after the Final Office Action.



## **SUMMARY OF CLAIMED SUBJECT MATTER**

A first party manages one or more database systems. A plurality of second parties subscribe to database services supported by the one or more database systems managed by the first party. The database services, to which the plurality of second parties subscribe, include services for storing and managing data provided by the second parties. (See page 18, line 5-page 19, line 7; page 33, lines 1-5; page 37, line 1 – page 38, line 22; page 13, line 9-page 14, line 8)

Access to the database services, to which the second parties are subscribed, is provided, over the network, to database applications controlled by the second parties. The database applications, controlled by the second parties, interact with the database systems managed by the first party by sending, from the second parties, to the database systems, over the network, database commands that conform to a database language supported by the database system. (See page 33, lines 1-5; page 28, lines 15-20; page 33, line 20 – page 38, line 22).

Execution of the database commands allows the second parties to manipulate data objects stored within at least one of the one or more database systems. (See page 33, lines 1-5; page 18, line 5-page 19, line 7)

The second parties control the source code of the database applications that the second parties use to send database commands to the database systems managed by the first parties. (See page 33, lines 1-5; page 18, line 5-page 19, line 7)

## **GROUND OF REJECTION TO BE REVIEWED ON APPEAL**

Whether Claims 1-21, 25-34, 36-56, and 60-69 are unpatentable under 35 U.S.C. § 102(e) for being anticipated by *Malik*.

Whether Claims 22-24, 35, 57-59, and 70 are obvious under 35 U.S.C. § 103(a) over *Malik* in view of *Hokanson*.

## ARGUMENTS

The cited art, either considered individually or in combination, fails to disclose, teach, or suggest at least one element recited by each pending claim.

### Claim 1

Claim 1 recites:

“a first party managing one or more database systems;  
**a plurality of second parties subscribing to database services supported by the one or more database systems managed by the first party, wherein the database services include services for storing and managing data provided by the second parties; and**  
providing, over the network, to database applications controlled by the second parties, access to the database services to which the second parties are subscribed,  
wherein **the database applications, controlled by the second parties, interact with the database systems managed by the first party by sending, from the second parties, to the database systems, over the network, database commands that conform to the database language supported by the database system,**  
wherein execution of the database commands allows the second parties to manipulate data objects stored within at least one of the one or more database systems, and  
where **the second parties control the source code of the database applications that the second parties use to send database commands to the database systems managed by the first parties.”** (emphasis added)

At least the above-bolded features of Claim 1 are not disclosed, taught, or suggested by *Malik*.

### The Approach of Claim 1

Claim 1 is directed towards provisioning databases for users on a network. In the approach of Claim 1, a first party manages one or more database systems. **A plurality of second parties subscribe to database services supported by the one or more database systems being managed by the first party.** The database services include services for storing

and managing data provided by the second parties. Database applications controlled by the second parties are provided access to the database services to which the second parties are subscribed.

**The second parties control the source code of the database applications** that the second parties use to send database commands to the database systems managed by the first parties. **The database applications interact with the database systems** managed by the first party **by sending, to the database systems, database commands that conform to the database language supported by the database system.**

When the database commands are executed by the first party, the second parties may manipulate data objects stored within at least one of the one or more database systems. Significantly, such an approach allows the second parties to avoid the cost and frustration of managing and maintaining a database system, while still providing to the second parties the ability to store data in a database system managed by the first party, and to manipulate data objects stored within a database system managed by the first party.

### **The Approach of *Malik***

On the other hand, *Malik* is directed towards an approach for offering cobranded services over the World Wide Web and enabling a user to centrally store passwords so they may be reused without repeated resubmission from the user (see Col. 7, lines 5-23). According to *Malik*, an Internet Service Provider (ISP) 15 maintains a server 31 and a mass storage repository 29 (Col. 6, lines 20-50; FIG. 1). The mass storage repository 29 is accessed by the ISP 15 using server 31. Server 31 executes Portal Software 35, which provides the cobranded services collectively denoted by *Malik* as a “Password-All suite” (see Col. 7, lines 5-24). Users of the Password-All suite may use an apparatus 17 executing a web browser to access the Password-

All suite (Col. 8, line 27-29; Col. 4, lines 16-17). For example, FIG. 2 depicts an illustrative web page that may be used to access the Password-All suite. Users of Portal Software 35 may access various web sites (such as those provided by Yahoo!, Alta Vista, and Excite shown on FIG. 4) in an manner where Portal Software 35 provides a stored password for the user to the web site, thereby alleviating the need for the user to provide the password.

Significantly, in the approach of *Malik*, **users of the Password-All suite interact with the Password-All suite using a web browser**. *Malik* states, “in all aspects, the software tool is accessible through a network-browser application” (Col. 4, lines 17-18). Consequently, users of the Password-All suite do not send database commands to any database system, but instead, issue commands through a web page (“web commands”). When server 31 processes a received web command, server 31 may interpret the web command, and thereafter perform some functionality in response to receiving the web command, e.g., server 31 may cause a database command to be executed against mass storage device 31. However, sending a web command is not analogous to sending a database command because a web command does not conform to the database language supported by the database system. Further, the source code of Password-All suite is controlled by the ISP 15, and not by users of the Password-All suite. As a result, numerous elements recited in Claim 1 are not disclosed, taught, or suggested by *Malik*.

#### **Differences between Claim 1 and *Malik***

In view of the fundamental differences between Claim 1 and *Malik*, numerous elements recited by Claim 1 are not disclosed, taught, or suggested by *Malik*. For example, Claim 1 recites, “**a plurality of second parties subscribing to database services supported by the one or more database systems managed by the first party, wherein the database services include services for storing and managing data provided by the second parties**.” No portion of *Malik*

teaches or suggests a second party subscribing to database services supported by a database system managed by a first party. The portion of *Malik* cited to show this element merely discusses a user using the Password-All Portal.

While the Password-All Portal may employ a database and may store data provided by the user, a user of the Password-All Portal suite is not subscribing to a database service. The user of the Password-All Portal cannot directly access any database. Indeed, the user of the Password-All Portal does not even know whether the Password-All Portal is using a database (the Password-All Portal could store data using a file server or LDAP directory instead of a database). Instead of allowing a user to directly access a database, the Password-All Portal allows a user to store passwords and codes at a central server, so that when the user logs into the Password-All Portal, the user does not have to reenter the passwords and codes required to access the various web sites that may require them (see Col. 7, lines 5-24). This is quite different than subscribing to a database service, because a user of the Password-All Portal is not able to use the services of a database. As a result, this element is not disclosed, taught, or suggested by *Malik*. The additional features of Claim 1 discussed below further highlight the fundamental differences between the use of the Password-All Portal of *Malik* and subscribing to a database service.

For example, Claim 1 features the element of “wherein the database applications, controlled by the second parties, interact with the database systems managed by the first party by sending, to the database systems, database commands that conform to the database language supported by the database system.” In the Response to Arguments section of the Office Action (see page 17), the Office Action argues that “*Malik* teaches a first party as a group of ISP 73, portal server 103, 77, 79, 81, server 91, 93, 95 (Fig. 4 and col. 12, lines 15-38). However, as shown in FIG. 4, the portal servers the Office Action has identified as belonging to the first

party as claimed actually belong to many different and distinct companies, namely Yahoo!, Alta Vista, and Excite (see Col. 12, lines 26-38). *Malik* is clear, both in Fig. 4 and in the accompanying description in Col. 12, lines 26-38, that portal servers 103, 77, 79, 81, and servers 91, 93, 95 do not belong to the same entity, but rather belong to three different and distinct companies. Moreover, *Malik* is also clear that ISP 73 is different and distinct than any of Yahoo!, Alta Vista, and Excite (see Col. 13, lines 19-53). As a result, the portion of *Malik* the Office Action has cited to show the first party as claimed actually involves four separate and distinct parties.

The Office Action also argues that a second party as claimed is shown by a user 49 (Applicants respectfully submit that this should be user 69 in view of the disclosure of *Malik*) of Fig. 4 and developer 210 of Fig. 9. However, *Malik* is clear that user 69 and developer 210 are different people. *Malik* teaches that user 69 “represents any number of users accessing the Internet for the purpose of interacting with Web services provided by the companies hosting servers 77, 79, and 81; and in some embodiments, server 103” (Col 13, lines 38-41). For example, user 69 may be a user of the Password-All suite.

On the other hand, *Malik* teaches that the responsibilities of developer 210 are “to create and maintain automated access to Web site services on behalf of subscribers and to maintain functionality of Web sites in this regard over time” (Col. 24, lines 16-22). Thus, developer 210 is an employee of party that is offering the software tool that user 69 is accessing. For example, developer 210 may work for the provider of the Password-All suite.

Thus, the position of the Office Action does not even allege that the actions of a single party are analogous to either the first party as claimed or the second party as claimed.

Further, neither user 69 nor developer 210 qualifies as a second party because neither user 69 nor developer 210 subscribes to database services supported by one or more database

systems managed by the first party as claimed. There is no teaching or suggestion in *Malik* that either user 69 or developer 210 subscribes to database services provided by ISP 73, Yahoo!, Alta Vista, or Excite. In fact, there is no suggestion in *Malik* that any of ISP 73, Yahoo!, Alta Vista, or Excite even offer a subscription-based database service.

Another deficiency in the teachings of *Malik* with respect to this element is that this element requires that database applications, controlled by the second parties, interact with the database systems, managed by the first party by sending, to the database systems, database commands. Neither user 69 nor developer 210 of *Malik* (which are both allegedly analogous to the second party as claimed) control database applications that interact with database systems, managed by the first party, by sending, to the database systems, database commands.

To illustrate, the Office Action argues:

Malik teaches the step of sending “database command” by a second party (i.e. user) as “keyword may be parsed from user interfaces and **complied electronically**. For example, instead of a knowledge worker making a logical determination pertaining to which keywords will be broker keywords, keywords may be randomly parsed from the HTML or other language contained within banner ads themselves (col. 21, line 65 to col. 22, line 15). (emphasis in original).

The concept of a database command is completely absent from the above-portion of *Malik*. The Office Action appears to have placed significance of the fact that the portion contains the phrase “complied electronically” with reference to a keyword. However, the concept of a keyword has nothing to do with a database command. The entire passage cited by the Office Action lacks any suggestion of a database command, but instead, discusses parsing keywords from an interface, such as a web page. Thus, the above-cited portion of *Malik* cannot possibly be referring to a database command.

The Office Action also states:



*Malik* also teaches the step of sending “database command” by a second party (i.e. developer) as “**The data** obtained in this fashion is stored in database 203 and is **accessible to developer 210**” (col. 24, lines 9-21). (emphasis in original).

As in the previously cited portion of *Malik*, this portion also fails to discuss the concept of a database command. The Office Action appears to place significance on the teaching that data is stored in a database and accessible to developer 210. However, developer 210 does not subscribe to database services supported by one or more database systems managed by the first party as required by Claim 1; consequently, developer 210 cannot qualify as a second party as claimed. As a result, this portion lacks any suggestion of a database application, controlled by a second party as claimed, interacting with a database system, managed by a first party as claimed by sending, to the database systems, database commands.

To show this element in the main body of the Office Action (see page 4), the Office Action makes a slightly different argument than in the Response to Arguments section by citing many portions of *Malik*, specifically Col. 7, lines 3-18; Col. 6, lines 6-59; Col. 7, lines 5-59; Col. 8, lines 3-49; list 34; control panel 117; Col 15, lines 22-38; system 11; Col 8., lines 1-2; Col. 15, line 1 to Col. 16, line 26). This position appears to require that the first party as claimed be analogous to ISP 15 of FIG. 1 and that the second party as claimed be analogous to the users of apparatus 17 of FIG. 1.

The Office Action argues (on page 4) that actions performed using control panel 117 show this element. However, control panel 117, as can be seen on FIG. 5, is analogous to a graphical user interface, and does not qualify as a database application or a database system. Nothing in *Malik*, or even the argument of the Office Action, suggests that control panel 117 is a database application that is capable of sending database commands to a database system. As a result, anyone using control panel 117 could not possibly “interact with the database systems

managed by the first party by sending, to the database systems, database commands that conform to the database language supported by the database system” as required by this element.

As a result, it is respectfully submitted that this element is not disclosed, taught, or suggested by *Malik*.

Claim 1 also recites the feature of “wherein the second parties control the source code of the database applications that the second parties use to send database commands to the database systems managed by the first parties.” This feature is not disclosed, taught, or suggested by *Malik*. The Office Action appears to argue on page 4 that this element is shown by a save function provided by tool bar 121, but argues on page 18 that this element is shown by activities performed by web developer 210. Each of these arguments will be considered in turn.

Any action performed using tool bar 121 cannot possibly meet the requirements of this element. This is so because this element requires that database application send database commands to a database system managed by the first party. In sharp contrast, tool bar 121 cannot be used to send a database command to a database system. Indeed, the Office Action does not identify any portion of *Malik* that suggests that tool bar 121 can send a database command to a database system. At best, the Office Action argues that a save function provided by tool bar 121 may be used by a knowledge worker to save completed works. However, saving completed works is not analogous to issuing a database command to a database system.

The Office Action also argues (on page 17) that this element is shown by activities performed by web developer 210. However, web developer 210 cannot qualify as a second party as claimed because web developer 210 does not subscribe to database services supported by the one or more database systems managed by the first party as claimed. Instead, the first

party employs web developer 210. Therefore, this element cannot be shown by any actions performed by web developer 210.

Consequently, this element also cannot be disclosed, taught, or suggested by *Malik*.

As at least one element recited in Claim 1 is not disclosed, taught, or suggested by *Malik*, it is respectfully submitted that Claim 1 is patentable over the cited art and is in condition for allowance.

#### Claims 2-70

Independent Claim 36 recites features that are similar to those discussed above with respect to Claim 1, except that Claim 36 is recited in computer-readable medium format. Consequently, for at least the reasons given above with respect to Claim 1, it is respectfully submitted that Claim 36 is also patentable over the cited art and is in condition for allowance.

Claims 2-35 and 37-70 are dependent claims, each of which depends (directly or indirectly) on one of the claims discussed above. Each of Claims 2-35 and 37-70 is therefore allowable for the reasons given above for the claim on which it depends. In addition, each of Claims 2-35 and 37-70 introduces one or more additional limitations that independently render it patentable.

For example, Claims 3 and 38 recite the additional features of:

receiving over said network a request to perform a database management operation from a user associated with a particular second party of said plurality of second parties; and  
responding to said request by performing said database management operation on one or more databases controlled by said first party without human intervention by said first party

Rather than identifying a particular section of a reference that discloses this subject matter, and then explaining why the above elements are shown by that section, the Office

Action merely cites Col. 7, line 25 to Col. 8, line 67 of *Malik* to show these elements.

However, this portion of *Malik* lacks any teaching or suggestion of the above elements, or even the concept of receiving a request over a network from a particular second party as claimed, and then responding to the request by performing a database management operation on one or more databases controlled by a first party as claimed without human intervention by the first party. Consequently, Claims 3 and 38 are also not disclosed, taught, or suggested by *Malik* for these additional reasons as well.

As another example, Claims 4 and 39 recite the additional feature of:

wherein the one or more database systems are implemented on a set of database devices that include a plurality of database appliances, a database appliance comprising database software and non-database software tailored to the needs of the database software

Rather than identifying a particular section of a reference that discloses this subject matter, and then explaining why the above elements are shown by that section, the Office Action merely cites Col. 13, line 38 to Col. 14, line 67; Col. 15, line 22 to Col. 16, line 64 of *Malik* to show this element without any explanation as to why this large portion of *Malik* shows this element. However, this portion of *Malik* lacks any teaching or suggestion of the above element, or even the concept of a database appliance comprising database software and non-database software tailored to the needs of the database software. Consequently, Claims 4 and 39 are also not disclosed, taught, or suggested by *Malik* for these additional reasons as well.

As another example, Claims 19 and 54 recite the additional feature of:

further comprising presenting to a user associated with said first party a user interface to allow said first party to configure a database device used to provide said database services as one of a dedicated device and a plurality of virtual devices

Rather than identifying a particular section of a reference that discloses this subject matter, and then explaining why the above elements are shown by that section, the Office

Action merely cites Col. 8, lines 35-67; Col. 15, line 1 to Col. 16, line 59; Col. 18, line 36 to Col. 19, line 62 of *Malik* to show these elements without any explanation as to why this large portion of *Malik* shows this element. However, this portion of *Malik* lacks any teaching or suggestion of the above element, or even the concept of an interface that allows one to configure a database device as one of a dedicated device and a plurality of virtual devices. Consequently, Claims 19 and 54 are also not disclosed, taught, or suggested by *Malik* for these additional reasons as well.

As another example, Claims 20 and 55 recite the additional feature of:

further comprising presenting to a user associated with said first party a user interface to allow said first party to configure at least one of a dedicated device and a virtual device of a plurality of virtual devices as one of a staging device available only to a database service developer for developing database services, and a production device for making database services available to a user who is not the database service developer

Rather than identifying a particular section of a reference that discloses this subject matter, and then explaining why the above elements are shown by that section, the Office Action merely cites Col. 8, lines 35-67; Col. 15, line 1 to Col. 16, line 59; Col. 18, line 36 to Col. 19, line 62 of *Malik* to show these elements without any explanation as to why this large portion of *Malik* shows this element. However, this portion of *Malik* lacks any teaching or suggestion of the above element, or even the concept of a user interface that allows one to configure at least one of a dedicated device and a virtual device of a plurality of virtual devices as one of a staging device. Consequently, Claims 20 and 55 are also not disclosed, taught, or suggested by *Malik* for these additional reasons as well.

As another example, Claims 21 and 56 recite the additional feature of:

further comprising presenting a user interface for transferring an application from a staging device to a production device

Rather than identifying a particular section of a reference that discloses this subject matter, and then explaining why the above elements are shown by that section, the Office Action merely cites Col. 8, lines 35-67; Col. 15, line 1 to Col. 16, line 59; Col. 18, line 36 to Col. 19, line 62 of *Malik* to show these elements without any explanation as to why this large portion of *Malik* shows this element. However, this portion of *Malik* lacks any teaching or suggestion of the above element, or even the concept of a user interface for transferring an application from a staging device to a production device. Consequently, Claims 21 and 56 are also not disclosed, taught, or suggested by *Malik* for these additional reasons as well.

As another example, Claims 25 and 60 recite the additional features of:

- further comprising the steps of:
- presenting to the user a set of selectable sources of content;
- receiving user input indicating a selected source; and
- launching a source update process to connect to the selected source and update a database with information received from the selected sources


Rather than identifying a particular section of a reference that discloses this subject matter, and then explaining why the above elements are shown by that section, the Office Action merely cites Col. 8, lines 35-67; Col. 15, line 1 to Col. 16, line 59; Col. 18, line 36 to Col. 19, line 62 of *Malik* to show these elements without any explanation as to why this large portion of *Malik* shows this element. However, this portion of *Malik* lacks any teaching or suggestion of the above elements. For example, the cited portion lacks any suggestion of presenting to the user a set of selectable sources of content or launching a source update process to connect to the selected source and update a database with information received from the selected sources. Consequently, Claims 25 and 60 are also not disclosed, taught, or suggested by *Malik* for these additional reasons as well.

Conclusion

The rejection under 35 U.S.C. § 102(e) and 35 U.S.C. § 103(a) lack the requisite factual and legal basis. Appellants respectfully submit that the imposed rejections under 35 U.S.C. § 102(e) and 35 U.S.C. § 103(a) are **not** viable and respectfully solicit the Honorable Board to **reverse** each of the imposed rejections under 35 U.S.C. § 102(e) and 35 U.S.C. § 103(a).

Respectfully submitted,

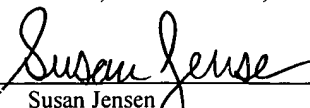
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on November 21, 2006 by   
Susan Jensen

## CLAIMS APPENDIX

### Listing of Claims:

1     1.     (Previously presented) A method for provisioning databases for users on a network,  
2             the method comprising the steps of:  
3             a first party managing one or more database systems;  
4             a plurality of second parties subscribing to database services supported by the one  
5                 or more database systems managed by the first party, wherein the database  
6                 services include services for storing and managing data provided by the  
7                 second parties; and  
8             providing, over a the network, to database applications controlled by the second  
9                 parties, access to the database services to which the second parties are  
10                 subscribed,  
11             wherein the database applications, controlled by the second parties, interact with  
12                 the database systems managed by the first party by sending, from the second  
13                 parties, to the database systems, over the network, database commands that  
14                 conform to the database language supported by the database system,  
15             wherein execution of the database commands allows the second parties to  
16                 manipulate data objects stored within at least one of the one or more  
17                 database systems, and  
18             wherein the second parties control the source code of the database applications that  
19                 the second parties use the send database commands to the database  
20                 management systems managed by the first parties.

1     2.     (Original) The method of claim 1 wherein:



2 at least one of said second parties is an application service provider that provides  
3 application services to a plurality of third parties over said network; and  
4 the step of providing access to the database services includes providing database  
5 services to an application used by said application service provider to  
6 provide said application services to said third parties.

1 3. (Original) The method of claim 1 further comprising the steps of:  
2 receiving over said network a request to perform a database management operation  
3 from a user associated with a particular second party of said plurality of  
4 second parties; and  
5 responding to said request by performing said database management operation on  
6 one or more databases controlled by said first party without human  
7 intervention by said first party.

1 4. (Original) The method of claim 1 wherein the one or more database systems are  
2 implemented on a set of database devices that include a plurality of database  
3 appliances, a database appliance comprising database software and non-database  
4 software tailored to the needs of the database software.

1 5. (Original) The method of claim 1 wherein the step of providing access over a  
2 network includes providing access over a public network of computer networks.

1 6. (Original) The method of claim 3 wherein the step of performing the database  
2 management operation involves allocating a different amount of resources to said  
3 particular second party than is currently allocated for said particular second party.

- 1 7. (Original) The method of claim 1, further comprising the step of delivering to a  
2 party over the network one or more messages which cause generation of user  
3 interfaces that allow the party to subscribe to said database services provided by  
4 said first party.
- 1 8. (Original) The method of claim 7 wherein the user interfaces contain controls for  
2 specifying user profile information, payment information, and selection of database  
3 services.
- 1 9. (Original) The method of claim 1, further comprising the step of delivering over the  
2 network, to a user associated with one of said second parties, one or more messages  
3 which cause generation of user interfaces that allow the user to access a database  
4 for a database service to which said one of said second parties has subscribed.
- 1 10. (Original) The method of claim 1, wherein:  
2 the first party also provides database application services over said network; and  
3 the method further comprises the step of delivering over the network, to a user  
4 associated with one of said second parties, one or more messages which  
5 cause generation of user interfaces that allow the user to access a database  
6 application service to which said one of said second parties has subscribed.
- 1 11. (Original) The method of claim 1, further comprising the step of delivering over the  
2 network, to a user associated with one of said second parties, one or more messages  
3 which cause generation of user interfaces that allow the user to indicate changes to

4 at least one of profile information, payment information, and the selection of  
5 services to which said one of said second parties is subscribed.

1 12. (Original) The method of claim 1, further comprising the step of delivering over the  
2 network, to a user associated with one of said second parties, one or more messages  
3 which cause generation of user interfaces that allow the user to supply content for a  
4 subscribed database.

1 13. (Original) The method of claim 1, further comprising the step of delivering over the  
2 network, to a user associated with one of said second parties, one or more messages  
3 which cause generation of user interfaces that allow the user to develop a new  
4 database application.

1 14. (Original) The method of claim 1, further comprising the step of delivering over the  
2 network, to a user associated with one of said second parties, one or more messages  
3 which cause generation of user interfaces that allow the user to integrate an external  
4 service.

1 15. (Original) The method of claim 1, further comprising the step of delivering over the  
2 network, to a user associated with one of said second parties, one or more messages  
3 which cause generation of user interfaces that present a status of a user subscribed  
4 resource selected from database resources managed by said first party.

1 16. (Original) The method of claim 1, further comprising the steps of:

2 delivering over the network, to a user associated with one of said second parties,  
3 one or more messages which cause generation of user interfaces that present  
4 the user with a user-selectable representation of a wizard for building a Web  
5 page with a database component associated with an interface to a database;  
6 receiving user input indicating the wizard; and  
7 executing said wizard, including presenting a series of screens to the user to prompt  
8 user input for building the Web page.

1 17. (Original) The method of claim 1, further comprising the step of the first party  
2 updating the one or more database systems by receiving from a community server  
3 over the network an update to the one or more database systems, wherein the  
4 community server provides the update to a plurality of service providers over said  
5 network.

1 18. (Original) The method of claim 1, further comprising the step of the first party  
2 sending to a community server a status of a user subscribed resource, wherein the  
3 user subscribed resource is maintained by said first party.

1 19. (Original) The method of claim 1, further comprising presenting to a user  
2 associated with said first party a user interface to allow said first party to configure  
3 a database device used to provide said database services as one of a dedicated  
4 device and a plurality of virtual devices.

1 20. (Original) The method of claim 1, further comprising presenting to a user  
2 associated with said first party a user interface to allow said first party to configure

3 at least one of a dedicated device and a virtual device of a plurality of virtual  
4 devices as one of a staging device available only to a database service developer for  
5 developing database services, and a production device for making database services  
6 available to a user who is not the database service developer.

1 21. (Original) The method of claim 20, further comprising presenting a user interface  
2 for transferring an application from a staging device to a production device.

1 22. (Original) The method of claim 7 wherein:  
2 the step of delivering to a party over the network one or more messages which  
3 cause generation of user interfaces that allow the party to subscribe to said  
4 database services is performed as part of a registration process;  
5 the interfaces include controls for receiving a user input value for a maximum  
6 amount of subscribed resources; and  
7 the method further includes the step of presenting an alert if an amount of  
8 subscribed resources consumed by said party exceeds a threshold  
9 percentage of the maximum amount of subscribed resources.

1 23. (Original) The method of claim 22, further comprising the steps of:  
2 receiving a user input value for a particular threshold percentage; and  
3 presenting an alert if an amount of resources consumed by said party exceeds the  
4 particular threshold percentage of the maximum amount of subscribed  
5 resources.

1 24. (Original) The method of claim 22, wherein the maximum amount of subscribed  
2 resources includes a maximum amount of at least one of  
3 an amount of storage space,  
4 a number of users connected to a platform in a period of time,  
5 an amount of processor time used in a period of time, and  
6 a number of transactions completed in a period of time.

1 25. (Original) The method of claim 12, further comprising the steps of:  
2 presenting to the user a set of selectable sources of content;  
3 receiving user input indicating a selected source; and  
4 launching a source update process to connect to the selected source and update a  
5 database with information received from the selected sources.

1 26. (Original) The method of claim 25, wherein  
2 the user input indicating a selected source also indicates a schedule for updating  
3 from the selected source; and  
4 the source update process connects to the selected source according to the schedule  
5 for updating from the selected source.

1 27. (Original) The method of claim 12, further comprising the steps of:  
2 in response to user input that specifies that data should be loaded into a subscribed  
3 database, determining whether the subscribed database currently exists for  
4 said one of said second parties; and

5 creating the subscribed database if the subscribed database does not currently exist  
6 for said one of said second parties.

1 28. (Original) The method of claim 13, further comprising the steps of:  
2 presenting representations of selectable application development kits;  
3 receiving user input indicating a selected development kit from the user; and  
4 launching a staging process including  
5 configuring consumable database resources on a staging database device, wherein a  
6 staging database device can be accessed by the user for developing the new  
7 database application and cannot be accessed by users associated with other  
8 parties of said plurality of second parties,  
9 receiving development input from the user; and  
10 building a new application on the staging database device based on the selected  
11 development kit and the development input.

1 29. (Original) The method of claim 28, the step of developing the new database  
2 application further comprising the steps of  
3 after receiving user input indicating a selected development kit, determining  
4 whether a client process of the selected development kit must be  
5 downloaded to a computer of the user over the wide area network; and  
6 if it is determined the client process of the selected development kit must be  
7 downloaded, downloading the client process to the computer of the user  
8 over the wide area network before the step of building the new application.

1 30. (Original) The method of claim 28, the step of developing a new database  
2 application further comprising the steps of:  
3 receiving input from the user indicating the new application is ready for operational  
4 use; and  
5 in response to receiving input from the user indicating the new application is ready  
6 for operational use, launching a production transfer process including  
7 sending a request to the first party to transfer the new application to a  
8 production device on which the new application may be accessed by users  
9 who did not develop the new application.

1 31. (Original) The method of claim 14, further comprising integrating the external  
2 service, wherein the step of integrating comprises the steps of:  
3 presenting a representation of a selectable external service;  
4 receiving user input indicating a selected external service; and  
5 launching an integration process to provide the external service to the user.

1 32. (Original) The method of claim 31, wherein the selectable external service includes  
2 at least one of a payment service, a mobile Internet portal, an enterprise resource  
3 planning application, and a customer relationship management application.

1 33. (Original) The method of claim 1, further comprising the first party performing at  
2 least one of the steps of:  
3 setting up database parameters;  
4 reporting database usage;



5 backing up the database;  
6 upgrading the database;  
7 controlling database versions;  
8 implementing database security; and  
9 implementing data security within the database.

1 34. (Original) The method of claim 1, further comprising the steps of:  
2 if a costing database does not already exist, then  
3 automatically creating the costing database of database resource usage by user, and  
4 initiating a costing model with price per unit of consumable resource per service;  
5 inserting data into the costing database based on actual use of database resources by  
6 the user;  
7 executing the costing model to compute a cost-per-user based on the data in the  
8 costing database and the price per unit of consumable resource per service;  
9 and  
10 billing the user for the cost computed by the costing model.

1 35. (Previously presented) The method of claim 34, wherein the costing model  
2 supports:  
3 fixed price per unit of usage;  
4 variable price per unit usage as a function of usage;  
5 flat price up to a maximum value of usage;  
6 different prices for different users;  
7 different prices for different services; and

different prices for increments of usage above a maximum subscribed usage.

36. (Previously presented) A computer-readable medium carrying instructions for provisioning databases for users on a network, the instructions comprising instructions for performing the steps of:
- a first party managing one or more database systems;
  - a plurality of second parties subscribing to database services supported by the one or more database systems managed by the first party, wherein the database services include services for storing and managing data provided by the second parties; and
  - providing, over a the network, to database applications controlled by the second parties, access to the database services to which the second parties are subscribed,
- wherein the database applications, controlled by the second parties, interact with the database systems managed by the first party by sending, from the second parties, to the database systems, over the network, database commands that conform to the database language supported by the database system,
- wherein execution of the database commands allows the second parties to manipulate data objects stored within at least one of the one or more database systems, and
- wherein the second parties control the source code of the database applications that the second parties use the send database commands to the database management systems managed by the first parties.

- 1 37. (Original) The computer-readable medium of claim 36 wherein:  
2 at least one of said second parties is an application service provider that provides  
3 application services to a plurality of third parties over said network; and  
4 the step of providing access to the database services includes providing database  
5 services to an application used by said application service provider to  
6 provide said application services to said third parties.
- 1 38. (Original) The computer-readable medium of claim 36 further comprising  
2 instructions for performing the steps of:  
3 receiving over said network a request to perform a database management operation  
4 from a user associated with a particular second party of said plurality of  
5 second parties; and  
6 responding to said request by performing said database management operation on  
7 one or more databases controlled by said first party without human  
8 intervention by said first party.
- 1 39. (Original) The computer-readable medium of claim 36 wherein the one or more  
2 database systems are implemented on a set of database devices that include a  
3 plurality of database appliances, a database appliance comprising database software  
4 and non-database software tailored to the needs of the database software.

- 1 40. (Original) The computer-readable medium of claim 36 wherein the step of  
2 providing access over a network includes providing access over a public network of  
3 computer networks.
- 1 41. (Original) The computer-readable medium of claim 38 wherein the step of  
2 performing the database management operation involves allocating a different  
3 amount of resources to said particular second party than is currently allocated for  
4 said particular second party.
- 1 42. (Original) The computer-readable medium of claim 36, further comprising  
2 instructions for performing the step of delivering to a party over the network one or  
3 more messages which cause generation of user interfaces that allow the party to  
4 subscribe to said database services provided by said first party.
- 1 43. (Original) The computer-readable medium of claim 42 wherein the user interfaces  
2 contain controls for specifying user profile information, payment information, and  
3 selection of database services.
- 1 44. (Original) The computer-readable medium of claim 36, further comprising  
2 instructions for performing the step of delivering over the network, to a user  
3 associated with one of said second parties, one or more messages which cause  
4 generation of user interfaces that allow the user to access a database for a database  
5 service to which said one of said second parties has subscribed.
- 1 45. (Original) The computer-readable medium of claim 36, wherein:

2 the first party also provides database application services over said network; and  
3 the computer-readable medium further comprises instructions for performing the  
4 step of delivering over the network, to a user associated with one of said  
5 second parties, one or more messages which cause generation of user  
6 interfaces that allow the user to access a database application service to  
7 which said one of said second parties has subscribed.

1 46. (Original) The computer-readable medium of claim 36, further comprising  
2 instructions for performing the step of delivering over the network, to a user  
3 associated with one of said second parties, one or more messages which cause  
4 generation of user interfaces that allow the user to indicate changes to at least one  
5 of profile information, payment information, and the selection of services to which  
6 said one of said second parties is subscribed.

1 47. (Original) The computer-readable medium of claim 36, further comprising  
2 instructions for performing the step of delivering over the network, to a user  
3 associated with one of said second parties, one or more messages which cause  
4 generation of user interfaces that allow the user to supply content for a subscribed  
5 database.

1 48. (Original) The computer-readable medium of claim 36, further comprising  
2 instructions for performing the step of delivering over the network, to a user  
3 associated with one of said second parties, one or more messages which cause

4 generation of user interfaces that allow the user to develop a new database  
5 application.

1 49. (Original) The computer-readable medium of claim 36, further comprising  
2 instructions for performing the step of delivering over the network, to a user  
3 associated with one of said second parties, one or more messages which cause  
4 generation of user interfaces that allow the user to integrate an external service.

1 50. (Original) The computer-readable medium of claim 36, further comprising  
2 instructions for performing the step of delivering over the network, to a user  
3 associated with one of said second parties, one or more messages which cause  
4 generation of user interfaces that present a status of a user subscribed resource  
5 selected from database resources managed by said first party.

1 51. (Original) The computer-readable medium of claim 36, further comprising  
2 instructions for performing the steps of:  
3 delivering over the network, to a user associated with one of said second parties,  
4 one or more messages which cause generation of user interfaces that present  
5 the user with a user-selectable representation of a wizard for building a Web  
6 page with a database component associated with an interface to a database;  
7 receiving user input indicating the wizard; and  
8 executing said wizard, including presenting a series of screens to the user to prompt  
9 user input for building the Web page.

1 52. (Original) The computer-readable medium of claim 36, further comprising  
2 instructions for performing the step of the first party updating the one or more  
3 database systems by receiving from a community server over the network an update  
4 to the one or more database systems, wherein the community server provides the  
5 update to a plurality of service providers over said network.

1 53. (Original) The computer-readable medium of claim 36, further comprising  
2 instructions for performing the step of the first party sending to a community server  
3 a status of a user subscribed resource, wherein the user subscribed resource is  
4 maintained by said first party.

1 54. (Original) The computer-readable medium of claim 36, further comprising  
2 instructions for presenting to a user associated with said first party a user interface  
3 to allow said first party to configure a database device used to provide said  
4 database services as one of a dedicated device and a plurality of virtual devices.

1 55. (Original) The computer-readable medium of claim 36, further comprising  
2 instructions for presenting to a user associated with said first party a user interface  
3 to allow said first party to configure at least one of a dedicated device and a virtual  
4 device of a plurality of virtual devices as one of a staging device available only to a  
5 database service developer for developing database services, and a production  
6 device for making database services available to a user who is not the database  
7 service developer.

1 56. (Original) The computer-readable medium of claim 55, further comprising  
2 instructions for presenting a user interface for transferring an application from a  
3 staging device to a production device.

1 57. (Original) The computer-readable medium of claim 42 wherein:  
2 the step of delivering to a party over the network one or more messages which  
3 cause generation of user interfaces that allow the party to subscribe to said  
4 database services is performed as part of a registration process;  
5 the interfaces include controls for receiving a user input value for a maximum  
6 amount of subscribed resources; and  
7 the computer-readable medium further includes instructions for the step of  
8 presenting an alert if an amount of subscribed resources consumed by said  
9 party exceeds a threshold percentage of the maximum amount of subscribed  
10 resources.

1 58. (Original) The computer-readable medium of claim 57, further comprising  
2 instructions for performing the steps of:  
3 receiving a user input value for a particular threshold percentage; and  
4 presenting an alert if an amount of resources consumed by said party exceeds the  
5 particular threshold percentage of the maximum amount of subscribed  
6 resources.



- 1 59. (Original) The computer-readable medium of claim 57, wherein the maximum  
2 amount of subscribed resources includes a maximum amount of at least one of  
3 an amount of storage space,  
4 a number of users connected to a platform in a period of time,  
5 an amount of processor time used in a period of time, and  
6 a number of transactions completed in a period of time.
- 1 60. (Original) The computer-readable medium of claim 47, further comprising  
2 instructions for performing the steps of:  
3 presenting to the user a set of selectable sources of content;  
4 receiving user input indicating a selected source; and  
5 launching a source update process to connect to the selected source and update a  
6 database with information received from the selected sources.
- 1 61. (Original) The computer-readable medium of claim 60, wherein  
2 the user input indicating a selected source also indicates a schedule for updating  
3 from the selected source; and  
4 the source update process connects to the selected source according to the schedule  
5 for updating from the selected source.
- 1 62. (Original) The computer-readable medium of claim 47, further comprising  
2 instructions for performing the steps of:

3 in response to user input that specifies that data should be loaded into a subscribed  
4 database, determining whether the subscribed database currently exists for  
5 said one of said second parties; and  
6 creating the subscribed database if the subscribed database does not currently exist  
7 for said one of said second parties.

1 63. (Original) The computer-readable medium of claim 48, further comprising  
2 instructions for performing the steps of:  
3 presenting representations of selectable application development kits;  
4 receiving user input indicating a selected development kit from the user; and  
5 launching a staging process including  
6 configuring consumable database resources on a staging database device, wherein a  
7 staging database device can be accessed by the user for developing the new  
8 database application and cannot be accessed by users associated with other  
9 parties of said plurality of second parties,  
10 receiving development input from the user; and  
11 building a new application on the staging database device based on the selected  
12 development kit and the development input.

1 64. (Original) The computer-readable medium of claim 63, the step of developing the  
2 new database application further comprising the steps of  
3 after receiving user input indicating a selected development kit, determining  
4 whether a client process of the selected development kit must be  
5 downloaded to a computer of the user over the wide area network; and

6 if it is determined the client process of the selected development kit must be  
7 downloaded, downloading the client process to the computer of the user  
8 over the wide area network before the step of building the new application.

1 65. (Original) The computer-readable medium of claim 63, the step of developing a  
2 new database application further comprising the steps of:  
3 receiving input from the user indicating the new application is ready for operational  
4 use; and  
5 in response to receiving input from the user indicating the new application is ready  
6 for operational use, launching a production transfer process including  
7 sending a request to the first party to transfer the new application to a  
8 production device on which the new application may be accessed by users  
9 who did not develop the new application.

1 66. (Original) The computer-readable medium of claim 49, further comprising  
2 instructions for integrating the external service, wherein the step of integrating  
3 comprises the steps of:  
4 presenting a representation of a selectable external service;  
5 receiving user input indicating a selected external service; and  
6 launching an integration process to provide the external service to the user.

1 67. (Original) The computer-readable medium of claim 66, wherein the selectable  
2 external service includes at least one of a payment service, a mobile Internet portal,

an enterprise resource planning application, and a customer relationship management application.

68. (Original) The computer-readable medium of claim 36, further comprising instructions for the first party performing at least one of the steps of:

- setting up database parameters;
- reporting database usage;
- backing up the database;
- upgrading the database;
- controlling database versions;
- implementing database security; and
- implementing data security within the database.

69. (Original) The computer-readable medium of claim 36, further comprising instructions for performing the steps of:

- if a costing database does not already exist, then
  - automatically creating the costing database of database resource usage by user, and
  - initiating a costing model with price per unit of consumable resource per service;
  - inserting data into the costing database based on actual use of database resources by the user;
- executing the costing model to compute a cost-per-user based on the data in the costing database and the price per unit of consumable resource per service;
- and
- billing the user for the cost computed by the costing model.

70. (Previously presented) The computer-readable medium of claim 69, wherein the costing model supports:

fixed price per unit of usage;

variable price per unit usage as a function of usage;

flat price up to a maximum value of usage;

different prices for different users;

different prices for different services; and

different prices for increments of usage above a maximum subscribed usage.

## **EVIDENCE APPENDIX**

None.

## **RELATED PROCEEDINGS APPENDIX**

None.